

11-06-06

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Express Mail No. EV913329228US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Angelucci et al. Confirmation No.: 7696
Serial No.: 09/942,333 Art Unit: 3732
Filed: August 29, 2001 Examiner: Shaffer, Richard R.
For: LAMINOPLASTY IMPLANTS AND METHODS OF USE Attorney Docket No: 8932-546

RESUBMISSION OF AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

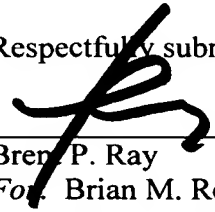
Sir:

In response to the Final Rejection mailed May 4, 2006, and before two months elapsed, Applicants previously submitted an Amendment Under 37 C.F.R. § 1.116 mailed via Express Mail (No. EV452776541US) to the USPTO on June 28, 2006, along with a return receipt postcard. Though Applicants received the postcard back from the USPTO stamped June 28, 2006 (attached as Appendix A), the USPTO appears to have lost the Amendment. Accordingly, Applicants are not submitting a petition under 37 C.F.R. § 1.10(e) because Applicants' Amendment was in fact received by the USPTO, but lost thereafter.

Applicants herewith submit a copy of the Amendment as-filed on June 28, 2006 (attached as Appendix B), and respectfully request that the Examiner consider the Amendment as if presented to the Examiner within two months of the mailing of the Final Rejection.

Respectfully submitted,

Date: November 3, 2006



Brian P. Ray
For: Brian M. Rothery
(Reg. No. 35,340)

54,390
(Reg. No.)

JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

APPENDIX A

Stamped Postcard

Express Mail No. EV452776541US First Class Mail ()

Date Mailed June 28, 2006

Serial No. 09/942,333

Filed August 29, 2001

Inventor Angelucci et al.

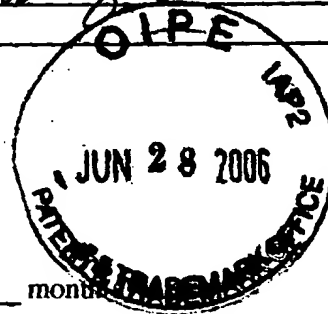
For Antiproxy Emplants and Methods of Use

- | | |
|---|--|
| <input type="checkbox"/> Affidavit/Declaration | <input type="checkbox"/> Fee Address Indication Form |
| <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Response | <input type="checkbox"/> Fee Certification |
| <input type="checkbox"/> Application _____ pages | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> _____ claims _____ drawing sheets | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Assignment <input type="checkbox"/> Cover Sheet | <input type="checkbox"/> Oral Hearing Request/Confirm |
| <input type="checkbox"/> Brief (in triplicate) | <input type="checkbox"/> Petition to Extend Time _____ months |
| <input type="checkbox"/> Declaration & Power of Attorney | <input type="checkbox"/> Petition under 37 C.F.R. _____ |
| <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted <input type="checkbox"/> Copy | <input type="checkbox"/> Power of Attorney |
| <input type="checkbox"/> Declaration of Inventor(s) | <input type="checkbox"/> by Assignee <input type="checkbox"/> Associate <input type="checkbox"/> with Revocation |
| <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted <input type="checkbox"/> Copy | <input type="checkbox"/> Request for Correction of Filing Receipt |
| <input type="checkbox"/> Design Application | <input type="checkbox"/> Sequence Listing w/Computer Readable and Paper Copy |
| <input type="checkbox"/> Disclaimer <input type="checkbox"/> Disclaimer Fee | <input type="checkbox"/> Small Entity Settlement |
| <input type="checkbox"/> Disclosure Statement <input type="checkbox"/> Form PTO-1449 | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> w/refs. <input type="checkbox"/> w/o refs. | <input type="checkbox"/> Transmittal Letter |
| <input type="checkbox"/> Drawings, Formal | |
| _____ Sheets _____ Figures | |

Other: _____

File No. 8932-546

Sender: BMR/BPR



APPENDIX B

Amendment filed June 28, 2006